



Department of State Police

General Order

Effective Date	March 31, 2017	Number	ADM-11A
Subject	Temporary Modified Duty		

Policy

Temporary Modified Duty is designed to provide an alternative work assignment for members who are temporarily unable to meet some of the Department in-service standards. Members failing to meet in-service medical and physical fitness standards due to temporary injury, illness or incapacitation are eligible to undergo reexamination pursuant to M.G.L. c. 22C, §10. Requests for reexaminations shall be made in writing to the Colonel/Superintendent within the period prescribed by M.G.L. c. 22C, §10 or shall be waived.

Temporary Modified Duty

While on Temporary Modified Duty, members shall not:

- Wear a uniform;
- Work overtime;
- Work paid details; and
- Have contact with prisoners, the public in an enforcement capacity, or function as a desk officer in a sub-station.

Exception: Emergency situations may require the immediate response of the member.

The Colonel/Superintendent may authorize members on Temporary Modified Duty to:

- Operate a Department vehicle; and/or
- Carry a Department issued firearm.

The immediate supervisor of a member on Temporary Modified Duty shall ensure compliance with ADM-19 Vehicle Management.

Eligibility

Eligibility for Temporary Modified Duty status shall:

1. Be recommended by the State Police Surgeon;
2. Require that the member's anticipated period of injury, illness or incapacitation be temporary in nature, meaning less than twelve (12) months in duration; and
3. Be determined by the Colonel/Superintendent.

Members who are not eligible for Temporary Modified Duty may:

- Remain or be placed on Sick Leave, Injured Leave, or other approved duty or leave status as appropriate.

Subject	Number
Temporary Modified Duty	ADM-11A

**Evaluation By
State Police
Surgeon**

Members who are eligible or assigned to Temporary Modified Duty shall be required to:

- Submit to periodic medical evaluation(s) of their condition as determined by the State Police Surgeon or by order of the Colonel/Superintendent.

Any member who has been assigned to Temporary Modified Duty for a period of twelve (12) months, shall be examined by the State Police Surgeon, who, after reviewing all medical information, shall recommend to the Colonel/Superintendent that the member:

- Remain on Temporary Modified Duty for a period as recommended by the State Police Surgeon and as determined by the Colonel/Superintendent;
- Submit to a medical examination as directed by the Department;
- Be placed on: Full Duty; No Duty; or Temporary Modified Duty; and/or
- Be discharged, separated and/or retired.

**Member's
Assignment to
Temporary
Modified Duty**

The Colonel/Superintendent may assign a member to Temporary Modified Duty based upon a medical recommendation from the State Police Surgeon. A member may dispute such assignment by:

- Providing a written notification to the Colonel/Superintendent within ten (10) days; and
- Producing a written statement from the member's physician detailing the medical reasons the member cannot perform such assignment.

The Colonel/Superintendent upon receipt of such written notification may:

- Require the member to submit to an examination by a medical physician selected by the Department.

The medical physician selected by the Department shall:


- Examine the member to determine if the member can perform the duties of the proposed assignment; and
- Forward written documentation of the examination with recommendations to the Colonel/Superintendent.

The Colonel/Superintendent shall make all final determinations regarding a member's assignment to Temporary Modified Duty.

Subject	Number
Temporary Modified Duty	ADM-11A

Responsibilities	<table> <tr> <th>Position</th><th>Duties</th></tr> <tr> <td>Colonel/Superintendent</td><td> Shall establish and approve Departmental: <ul style="list-style-type: none"> • Duty Status; • Leave Status; • Medical Standards; and • In-service Standards. </td></tr> <tr> <td>State Police Surgeon</td><td> Shall evaluate members and recommend: <ul style="list-style-type: none"> • Eligibility for Temporary Modified Duty status; and • The frequency of medical evaluation periods. </td></tr> </table>	Position	Duties	Colonel/Superintendent	Shall establish and approve Departmental: <ul style="list-style-type: none"> • Duty Status; • Leave Status; • Medical Standards; and • In-service Standards. 	State Police Surgeon	Shall evaluate members and recommend: <ul style="list-style-type: none"> • Eligibility for Temporary Modified Duty status; and • The frequency of medical evaluation periods.
Position	Duties						
Colonel/Superintendent	Shall establish and approve Departmental: <ul style="list-style-type: none"> • Duty Status; • Leave Status; • Medical Standards; and • In-service Standards. 						
State Police Surgeon	Shall evaluate members and recommend: <ul style="list-style-type: none"> • Eligibility for Temporary Modified Duty status; and • The frequency of medical evaluation periods. 						

References	ADM-19 Vehicle Management MGL c.22C, s.10
------------	--

Promulgated By: 



Department of State Police

General Order

Effective Date	November 5, 2008	Number	ADM-11E
Subject	Leaves of Absence		

Policy

The Department may grant sworn and civilian employees leaves of absence, with or without pay, as allowed by:

- Federal and state law;
- Commonwealth's Human Resources Division (HRD);
- Collective Bargaining Agreements (CBA), Personnel Administration Rules (PAR), HRD Red Book; or
- The Colonel/Superintendent.

Leave Coordinator

The Division of Administrative Services (DAS) Commander shall appoint a Leave Coordinator who shall be responsible for:

- Receiving and processing specified requests for leave;
- Assisting employees with paperwork requirements;
- Assisting and coordinating with commanding officers and the Colonel/Superintendent to evaluate requests for leave;
- Coordinating the requirements for employees returning from leave;
- Ensuring personnel records, payroll history, health insurance and other benefits are updated or administered as necessary; and
- Consulting with Office of Employee Relations and Legal Section regarding leave requests.

Approval of Leave

The Leave Coordinator shall forward all requests for leave to the Colonel/Superintendent. The Colonel/Superintendent may approve or deny leave based upon:

- Applicable federal and state laws, and collective bargaining agreements;
- Operational needs of the Department;
- The purpose of the leave; and
- Other factors that may exist.

The Leave Coordinator shall notify an employee, in writing, of the decision of the Colonel/Superintendent.

Subject	Number
Leaves of Absence	ADM-11E

**Conduct on
Leave**

An employee on a leave of absence for any duration shall:

- Adhere to and abide by all State Police Rules & Regulations, Policies & Procedures, applicable written directives, and collective bargaining agreements; and
- Not work any overtime, details or appear in court on behalf of the Department.

An employee who is on any form of leave in excess of thirty (30) days shall return the following issued equipment to their Troop/Section/Unit Commander:

- All issued Department firearms and ammunition;
- Assigned vehicle along with vehicle issued equipment;
- Department issued fuel card, transponder and snow gate access cards; and
- All issued electronic devices (e.g. cell phone, laptop).

Troop/Section/Unit Commanders shall contact the issuing section regarding storage.

**Bereavement
Leave**

Employees are entitled to leave, without loss of pay or benefits, in recognition of the death of family members, or persons living in the household of the employee, in accordance with their respective collective bargaining agreements.

**Blood Donation
Leave**

Employees

Are permitted a maximum of four (4) hours leave of absence with pay, subject to operational needs and the approval of their supervisor, specifically to enable the employee to donate blood. The decision of their supervisor cannot be appealed.

- Leave time is for:
 1. Travel from work to the donation site;
 2. Actual donation time;
 3. Recovery from donation; and
 4. Travel time back to work.

Leave Time

- Shall be taken on the day the donation occurs;
- Employees shall not accrue compensatory time in lieu of such leave;
- Blood Donation Leave is permitted for a maximum of five (5) times per federal fiscal year, the period of October 1 through September 30 each year.

Employees Blood Bank Form

In order to qualify for the Blood Donation Leave, an SP 635 Employees Blood Bank form shall:

- Be completed certifying the date, location, times and type of blood donation.

Subject	Number
Leaves of Absence	ADM-11E

**Education
Leave**

Purpose

Employees may be granted a paid leave of absence for educational purposes to attend conferences, seminars, briefing sessions, or other functions of a similar nature that are intended to improve or upgrade the individual's skills or professional ability.

Request Procedure

Shall be made in writing to the Leave Coordinator and at least thirty (30) days in advance of the desired leave, or if unforeseen, as soon as possible.

- Requests shall include:
 1. The anticipated start and end dates of training;
 2. A thorough description of the training accompanied by documentation from the institute hosting the training; and
 3. Rationale for the relationship of the training to the employee's work unit, and/or the Department as a whole.

Approval

Approval is entirely at the discretion of the Colonel/Superintendent, and is not subject to appeal.

- Considerations may include, but not be limited to:
 1. Costs and benefit of the training to the Department as a whole;
 2. Benefit of the training to the individual employee and their work unit; and
 3. The reasonable relationship of the training to the individual employee's work assignment.

**Extended
Illness Leave
Bank (EILB)**

Description

A voluntary program to assist employees who have expended their accrued paid leave due to an extended personal illness or injury, thereby enabling the employee to remain on paid leave within the limits of the program.

Program

1. To be eligible for membership, employees shall annually donate an amount of sick, vacation or personal leave credits to the EILB; and
2. Apply to withdraw from the EILB, up to one-hundred and twenty (120) days within a two (2) year period, when extended illness or injury have exhausted all their paid leave time.

Note: Employees seeking further information should contact the Leave Coordinator.

Subject	Number
Leaves of Absence	ADM-11E

**Family and
Medical Leave
(FMLA)**

The Colonel/Superintendent shall grant employees who have completed their probationary period the following:

Family Leave-A leave of absence:

- For the birth, adoption, or placement of a child.

Medical Leave-A leave of absence:

- If an existing serious health condition prevents the employee from being able to perform the functions of their position; or
- To care for family members who have a serious health condition.

Intermittent Leave/Modified Work Schedules

- May be available to employees based on the operational needs of the work station/section/unit/.

Note: Employees shall consult their applicable collective bargaining agreements for specific benefits, durations, definitions, and other information for cited leave.

Request Procedure

Requests shall be made in writing to the Leave Coordinator at least thirty (30) days in advance of the desired leave, or if unforeseen, as soon as possible.

- The request shall contain the following:
 1. Anticipated start and end dates of leave, proposed intermittent usage of the leave or proposed modified work schedule;
 2. Specific reason for taking the leave (family or medical); and
 3. Appropriate documentation.
 - i. For the birth, adoption, or placement of the child, a birth certificate or adoption/placement papers may be required.
 - ii. For leave due to a serious health condition of the employee or other, a medical certification form provided by the Department in support of the request is required.

Note: Requests for Family and Medical Leave may be denied if the above requirements are not met.

Subject	Number
Leaves of Absence	ADM-11E

**Non-FMLA
Family Leave**

The Colonel/Superintendent may grant employees who have completed their probationary period, Non-FMLA Family Leave in accordance with the appropriate collective bargaining agreement.

Request Procedure

Requests shall be made in writing to the Leave Coordinator at least fourteen (14) days in advance of the desired leave, or if unforeseen, as soon as possible.

- The request shall contain the following:
 1. The anticipated start and end dates of leave, or the intended days for incremental use; and
 2. The specific reason for the requested leave and any documentation the employee may have in support of the leave request.

Note: Employees shall consult their applicable collective bargaining agreements for specific benefits, durations, definitions, and other information for cited leave.

**Leave of
Absence
Without Pay**

Authorization

The Colonel/Superintendent may grant employees authorized leave of absence for up to ninety (90) days and/or grant an extension of leave of absence upon written request filed by the employee.

Request Procedure

Requests for Leave of Absence Without Pay shall be made in writing to the Leave Coordinator at least thirty (30) days in advance of the desired leave, or if unforeseen, as soon as possible.

- The written request shall contain the following:
 1. Anticipated start and end dates of said leave;
 2. A detailed statement of the reason for the leave;
 3. In the event that the absence is illness/injury related, written requests shall be accompanied by substantiating proof of such illness.

**Sworn
Members –
Return to
Service
Requirements**

The Leave Coordinator shall inform sworn members of any requirements necessary for return to service from leave.

Returning to Service – FMLA-Medical Leave or Authorized Leave of Absence Without Pay

- Members returning to service due to their own illness/injury that exceeds ten (10) days shall:
 1. Notify their Commanding Officer to contact the Occupational Health Unit to schedule an appointment with the State Police Surgeon prior to returning to work; and
 2. Have a recommendation from the State Police Surgeon for return to service.

Continued next page.

Subject	Number
Leaves of Absence	ADM-11E

**Sworn
Members –
Return to
Service
Requirements
(Continued)**

Leaves or Break-In-Service

- Members returning from a leave or break in service that exceeds ninety (90) days shall be required to successfully complete:
 1. On-Line Academy; and
 2. An evaluation by the Division of Standards and Training Commander or designee regarding any additional training required.
- Members returning from a leave or break in service that exceeds one (1) year shall be required to successfully complete:
 1. A background investigation;
 2. A medical examination by the State Police Surgeon to include drug testing;
 3. Psychological testing; and
 4. An evaluation by the Division of Standards and Training Commander or designee regarding any additional training required.
- Former members wishing to return from a separation from service that exceeds three (3) years shall:
 1. Meet all requirements for reentry to the Department; and
 2. Successfully complete the Recruit Training for appointment to the position of Trooper.

Note: Failure to successfully complete the Recruit Training may affect pension benefits, if applicable.

**Returning
From
Leave:
Civilians**

Return From Leave

- Employees returning from a leave that exceeds one (1) year shall be required to successfully complete:
 1. A background investigation;
 2. A drug test;
 3. A medical examination by the State Police Surgeon, as applicable, if returning from medical leave where the employee was the one that was ill; and
 4. Retraining, as determined by the employee's supervisor or the Human Resources Director.

**Sworn
Members
Returning
From Disability**

In addition to the previously listed requirements, sworn members returning from disability retirement shall have a medical evaluation conducted in conformance with MGL c.32, and the standards of the Commonwealth of Massachusetts Public Employee Retirement Administration Commission.

Subject	Leaves of Absence	Number	ADM-11E
---------	-------------------	--------	---------

Benefits Employees may be required to pay premiums for certain benefits while on Leave.

Military Leave Refer to Policy and Procedure ADM-11D Military Leave.

References

- MGL c.31, s.37
- MGL c.32
- NAGE Units 1, 3 and 6-Commonwealth CBA, Article 8
- AFSCME Unit 2-Commonwealth CBA, Article 8
- SPAM Unit 5A-Commonwealth CBA, Articles 8 and 38
- MOSES Unit 9-Commonwealth CBA, Article 8
- Personnel Administrator Rules, PAR 13 Leaves of Absence
- Red Book §§5.00, 6.00, and 8.00
- Mass State Employees Blood Program

Promulgated By:



Department of State Police

General Order

Effective Date	August 1, 2017	Number	ADM-20
Subject	Weapons Management		

Policy The Armorer shall provide oversight for the control and operational readiness of all Department weapons and ammunition, from acquisition to final disposition.

Members shall continually inspect all weapons and ammunition issued to them or under their control, to ensure cleanliness and operational readiness.

Definition *Firearms:* All firearms, rifles, shotguns, and machine guns issued by the Department.

Armorer: A member designated by the Colonel/Superintendent, responsible for all weapons and ammunition under their control or in storage at the Armory.

Armorer The Armorer shall:

- Maintain an accurate inventory of all weapons;
- Maintain all SP 9 Record of Issue and SP 255 Equipment Transfer/Disposition forms;
- Update the Department Soft Body Armor/Weapons Inspection database;
- Maintain an inventory of ammunition and firearms related supplies;
- Ensure that sufficient quantities of ammunition, parts, and supplies remain at the Armory for Department use;
- Coordinate all firearms repairs;
- Conduct training for all members;
- Ensure each Station/Section/Unit has a suitable bullet trap or body armor for use in unloading firearms; and
- Be available to provide temporary replacement firearms.

Firearms Issue or Transfer Each firearm issuance and transfer shall be recorded on the SP 9. The Armorer shall ensure the correct information is updated on PayStation.

Continued next page.

Subject	Number
Weapons Management	ADM-20

**Firearms
Issue or
Transfer
(Continued)**

Commanding Officers that have firearms assigned to the Station/Section/Unit shall complete a SP 255 form indicating:

- Description of firearms including serial number; and
- Date and location of assignment.

Commanding Officers shall forward one (1) copy to the Armorer and retain a copy for the Station/Section/Unit records.

**Storage of
Firearms and
Ammunition**

Commanding Officers that have firearms assigned to their Station/Section/Unit shall:

- Provide a secure, locked, and alarmed storage area;
- Keep all stored items in a state of operational readiness and available for emergency use at any time; and
- Permit immediate accessibility only to authorized members.

**Seizure of
Firearms**

Upon seizure of a duty firearm, the supervisor shall contact the Armorer to:

- Determine if the member has additional issued firearms; and
- Coordinate storage of the seized duty firearms(s).

**Disposal of
Weapons**

Upon determination that Department firearms or ammunition have become obsolete or inoperable, the Armorer shall complete a SP 255 indicating:

- Description of item;
- Reason and method of disposal (sale, trade-in, destruction); and
- Name of receiving agency/company and signature of receiving party.

The Armorer shall dispose of the item in accordance with the guidelines established by the Commonwealth of Massachusetts.

Inspections

During range qualification all firearms shall be inspected for condition and operational readiness by the Armorer or designee.

Supervisors shall ensure:

- A firearms inspection has been completed quarterly for all subordinates during the months of January, April, July, and October;
- A report of the inspection is documented on PayStation; and
- Members on leave during the quarterly period have their firearms inspected on the first day that the member returns to duty.

Only members trained in the inspection of specific firearms shall inspect that particular type of firearm.

Continued next page.

Subject	Number
Weapons Management	ADM-20

Inspections (Continued)

Members submitting a firearm for inspection shall:

- Ensure that the firearm is in a safe and unloaded condition with the magazine removed;
- Present the firearm with the slide locked in the open position;
- Shotguns shall be presented for inspection with the action in the open position; and
- Rifles, machine guns and submachine guns shall be presented for inspection in a safe manner as directed by the Inspector.

Weapons shall be unloaded in a safe manner consistent with training, using a suitable bullet trap or ballistic vest as a backdrop in a safe area approved by the Armorer.

Inspectors Duties

Only members trained in the inspection of specific firearms shall inspect that particular type of firearm. Inspectors may use a SP 608 Weapons Inspection form as a guideline during the inspection process.

Firearms Inspectors shall:

- Inspect all Department firearms as assigned and document on the Department database during the months of January, April, July, and October;
- Detail all inadequacies on the database; and
- Remove any weapon or ammunition found to be defective and forward to the Armorer for repair or replacement.

Temporary Firearms

Commanding Officers shall:

- Ensure that the member with the defective firearm is issued a temporary replacement firearm by the Armorer; and
- Document the issue of the temporary firearm on a SP 9.

The Armorer or designee shall issue temporary firearms. The Armorer may be contacted through the GHQ Communications Section.

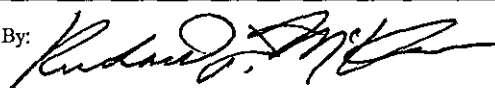
Leave

Commanding Officers of a member who is on any leave in excess of thirty (30) days shall contact the Armorer for storage of Department issued firearms and ammunition.

References

SP 9 Record of Issue Form
SP 255 Equipment Transfer/Disposition Form
SP 608 Weapons Inspection Form

Promulgated By:





Department of State Police

General Order

Effective Date	Number
April 23, 2009	PRI-03
Subject	
Prisoner Transportation	

Policy

Safety is the paramount concern when transporting prisoners. Members shall always keep in mind:

- The safety and well-being of themselves and others;
- The proper restraint of the prisoner to prevent escape or injuries; and
- The prisoner's safety and rights.

Prisoner Search Protocols

Cruisers shall be searched before and after transporting prisoners for contraband, weapons, fruits or instrumentalities of a crime, and/or evidence. A search is also part of the routine cruiser inspection at the beginning of the shift.

All individuals in custody shall be searched for weapons and contraband prior to being placed in a cruiser or otherwise transported. Never assume that someone else has searched a prisoner.

Under exigent circumstances, it may be necessary for a member to search a member of the opposite gender. Such a search shall be conducted professionally and be limited to the minimal invasion of privacy necessary. In other situations it may be more prudent to request assistance by an officer of the same gender as the prisoner, or conduct the search in the presence of others.

Cruisers

Cruisers which are routinely used to transport prisoners shall have:

- Safety barriers (prisoner cages);
- The rear passenger compartment window and locks disabled;
- Rear passenger seat belts; and
- Rear passenger door locks that cannot be unlocked from the rear passenger compartment.

When transporting a prisoner, members should not respond to calls for service unless:

- The situation clearly poses a serious risk to others; and
- The risk to prisoner is minimal.

Subject	Number
Prisoner Transportation	PRI-03

**Prisoner
Restraint
Protocols**

Unless extenuating circumstances dictate otherwise, members transporting prisoners shall ensure:

- Prisoners are handcuffed with their hands behind their back;
- Use alternate devices or methods when it is physically unable to handcuff someone behind their back;
- Double locked handcuffs to prevent inadvertent tightening or to avoid causing or aggravating any injuries.

If prisoners are to be transported for an extended period, members may handcuff them in front, and use a waist chain or other device to secure the hands to the waist.

Prisoner's legs may be restrained if their actions indicate that they may be a threat.

Prisoners shall not have their legs bound to their hands, except for extreme circumstances.

Prisoners should not be handcuffed or restrained to any part of the vehicle (except for use of the seat belt).

**Seating
Positions**

Members shall:

- Ensure that prisoners being transported are visually observable at all times;
- Secure prisoners with a seat belt;
- Not transport more than two (2) prisoners at a time, unless authorized by a supervisor;
- Not transport two (2) prisoners in a cruiser without a safety barrier, unless another member is present;
- Whenever practical, transport prisoners of the opposite gender in separate vehicles; and
- Ensure prisoners of opposite gender are not transported to court in the same vehicle Massachusetts General Laws (MGL) c.276, s.53.

IF the cruiser has...	Then, unless circumstances dictate otherwise, prisoner(s) should be placed...
A safety barrier.	In the rear compartment, using the right seat first.
One (1) officer, one (1) prisoner, no safety barrier.	In the right front seat.
Two (2) members, one (1) prisoner, no safety barrier.	In the right front seat with the other member behind them.
Two (2) members, two (2) prisoners, no safety barrier.	One in the right front, one in the right rear seats, with the other member seated behind the driver.

Subject	Number
Prisoner Transportation	PRI-03

**Transportation
of Juveniles**

Juveniles shall not be transported:

- With adult prisoners; or
- To court or other institutions in a “patrol wagon” as stipulated in MGL c.119, s.34.

**Transporting
Opposite
Gender
Prisoners**

Members transporting prisoners of the opposite gender shall radio their Station/Unit Desk Officer, and have a Daily Administrative Journal (DAJ) entry made of the:

- Location;
- The number and gender of their prisoner(s);
- Preliminary charges against the prisoner(s);
- Intended destination;
- Beginning odometer mileage, and upon arrival, the ending mileage; and
- Request for back-up, if necessary.

Communication

Conversations with prisoners shall be professional and kept to a minimum.

- Conversations between prisoners shall be limited by the transporting officer for safety reasons.

Members shall not allow prisoners to use communications equipment while in transport, nor stop to allow a prisoner access to communication equipment.

**Protocols for
Transferring
Prisoners**

When transporting a prisoner to or from another agency or a court detention facility, members shall:

- Secure firearms if required by that facility’s protocol;
- Remove restraining devices in the designated area;
- Positively identify the prisoner by ID, photographs or fingerprints;
- Deliver or receive the necessary documentation, paperwork, and/or information; and
- Adhere to procedures within PRI-02 Custodial Inventory regarding subject’s property.

If the prisoner is a security hazard, suicide risk, or has a condition that the receiving agency or court should be aware of, the receiving agency shall be advised in writing of that condition.

Subject	Number
Prisoner Transportation	PRI-03

Medical Considerations

If, while in transit a prisoner notifies the transporting member of an illness or injury, and if in the member's opinion an illness or injury exists and requires immediate attention, the member shall transport the prisoner to the nearest medical facility for an examination.

- The transporting member shall notify the Desk Officer; and
- Desk Officer shall notify the medical facility of the particulars prior to the prisoner's arrival.

If a prisoner is admitted to a medical facility, the Department shall provide or ensure proper security arrangements, if necessary, or arrange for the prisoner to be bailed.

If released by the medical facility, the prisoner shall be transported to the nearest station or facility, as appropriate.

When transporting a physically or mentally challenged prisoner, special care and attention may be required. The transporting member shall use discretion as to the type of restraints to be used and the Troop Duty Officer shall be notified.

Prisoner Escape Protocols

Position	Duties
Transporting Member	<ol style="list-style-type: none"> 1. Immediately notify the appropriate Desk Officer of: <ul style="list-style-type: none"> • Cruiser number, member's name, rank; • Exact location; • Prisoner method of escape, escape route, and means of transportation; • Name and aliases of escapee, and a physical description including clothing; and • Criminal history and safety risk of the escapee, and the pending charges. 2. Immediately make every attempt to recapture the escapee, and if unable to do so, preserve the scene for tracking dogs and investigators.
Desk Officer	<ol style="list-style-type: none"> 1. Immediately notify the Troop Duty Officer of jurisdiction; 2. Notify all patrols and local departments of the escape; and 3. Make the appropriate DAJ entries.

Continued next page.

Subject	Number
Prisoner Transportation	PRI-03

**Prisoner Escape
Protocols
(Continued)**

Position	Duties
Troop Duty Officer	<ol style="list-style-type: none"> 1. Dispatch a supervisor to the scene to: <ul style="list-style-type: none"> • Assume control of the recapture operation; • Investigate the circumstances of the escape; and • Prepare a report with findings and recommendations. 2. Notify: <ul style="list-style-type: none"> • Department Detectives Unit of jurisdiction; and • The Troop Commander.
Troop Commander	<ol style="list-style-type: none"> 1. Notify Division Commander; 2. Administratively review report(s) for further action; and 3. Take actions to prevent reoccurrences.

**Special
Situations**

No prisoner or individual in custody shall be allowed to participate in any operation and/or function without the specific written approval of the Division Commander.

Section/Units that conduct such operations or functions on a regular basis may request blanket authorization from their Division Commander. If such authorization is granted:

- Sufficient security shall be deployed to maintain control of the prisoner or individual;
- The intended destination shall be checked out in advance by a member;
- Control of the perimeter shall be maintained;
- There shall be minimal contact between the prisoner and others; and
- Any other measures deemed necessary by the officer-in-charge (OIC) shall be taken.

**Commercial
Air
Transportation
and Armed
Members**

Members shall be certified and follow the federal Transportation Security Administration (TSA) guidelines and Code of Federal Regulations (CFR) Title 49 Carriage of Weapons by Law Enforcement Officers.

Troop/Section Commanders shall ensure the following protocols are followed when members, under their command, fly on commercial airlines while armed.

1. An administrative message shall be sent to the Transportation Security Administration (TSA) by the GHQ Communications Section via the National Law Enforcement Telecommunications System (NLETS), requesting a unique alphanumeric identifier receipt for the member who will be flying armed.

Continued next page.

Subject	Number
Prisoner Transportation	PRI-03

**Commercial
Air
Transportation
and Armed
Members
(Continued)**

2. The member shall carry the receipt containing all the pertinent information required by TSA to be verified at the airport on the day(s) of travel.
3. The member shall also carry the appropriate number of signed original Letters of Authority from their Troop/Section Commander and surrender a letter to the airline carrier(s) when requested.
4. The Letters of Authority shall be on Department letterhead and shall include:
 - The name(s) of the member(s);
 - The dates and itinerary for flights;
 - Certification that the member(s) have completed the TSA's Law Enforcement Officers Flying Armed Program;
 - The circumstances for the need to carry a firearm; and
 - The original signature of their Troop/Section Commander and a contact number for verification.

Note: Failure to provide the unique alphanumeric identifier may result in delays due to the additional verification requirements. The airline and the pilot have the discretion to refuse armed members on any flight.

**Procedure
Transporting
Prisoners by
Commercial
Airlines**

When transporting a prisoner on an commercial airline flight, members shall:

- Notify TSA and the airline of the name(s) of the prisoner(s) and the accompanying member(s) at least one (1) hour before the flight;
- Notify TSA and the airline if the prisoner is considered a "high risk" at least twenty-four (24) hours, or as soon as possible, before the scheduled departure. If so, at least two (2) members shall escort the prisoner and arrive at the check-in counter at least one (1) hour before the flight. Only one dangerous prisoner is allowed on the same flight;
- Ask to board the plane first, and deplane last;
- Sit in the rear of the plane, maintaining one (1) member between the prisoner and the aisle;
- Ensure that no food, utensils, or items be given directly to the prisoner without checking the items first; and
- Not consume, nor allow the prisoner to consume, alcoholic beverages.

Note: There shall always be at least one (1) member per prisoner. At least one (1) member shall be the same gender as the prisoner.

Members shall carry:

- Department issued badge and identification card;
- A secondary valid government issued ID;
- Necessary boarding paperwork;
- Letters of Authority to travel while armed on commercial flight; and
- Adequate restraining devices.

Subject	Number
Prisoner Transportation	PRI-03

References

PRI-02 Custodial Inventory
MGL c.276, s.53
MGL c.119, s.34
Code of Federal Regulations (CFR) Title 49 Transportation
Transportation Security Administration (TSA) "Law Enforcement Officers
Flying Armed" Program

Promulgated By:



Department of State Police

General Order

Effective Date	May 5, 2017	Number	PRI-06
Subject	Prisoner Monitoring		

Policy

Continuous supervision is essential for maintaining and assuring the safety and welfare of prisoners while in custody. Whenever a prisoner is placed in a Department cell, the Desk Officer shall activate the cell audio and video monitoring system.

Monitoring

- The Desk Officer shall physically check all prisoners every hour, and shall use the electronic monitoring (Watchman) device during the check;
- The audio and video systems shall also be used to continuously monitor the prisoner's condition, and as a means of two-way communication with prisoners and other members in the cell area.
Note: The system shall not be used to unnecessarily violate the personal privacy of the prisoner(s).
- Prisoners held over four (4) hours shall have meals provided at regular meal times, three (3) meals a day;
- Meals may be provided from a correctional facility, prisoner meal fund, from the prisoner's funds with their consent, or other appropriate source;
- The Desk Officer shall document within the Daily Administrative Journal (DAJ) the number, cost (if applicable), and type of meals served;
- Dishes, cups, and all utensils shall be used only once and then disposed of;
- Common cups and towels are not allowed;
- Prisoners held for over eight (8) hours shall be given access to a wash basin; and
- The Desk Officer shall provide heightened protection to vulnerable detainees to include direct sight and sound supervision. The Desk Officer shall monitor the conduct and treatment of detainees or employees who reported sexual abuse and of detainees who were reported to have suffered sexual abuse pursuant to PRI-07 *Detainee Sexual Abuse and Sexual Harassment* and PRI-07A *Detainee Sexual Abuse and Sexual Harassment Investigations, Review and Data Collection*.

Booking Process

- Firearms and Electronic Control Weapons (ECWs) **shall not** be carried on a member's person during the booking process, including (but not limited to) booking, fingerprinting, and the administration of the breath test.

Subject	Number
Prisoner Monitoring	PRI-06

Entering a Cell Area

Firearms and ECWs shall be secured before entering an occupied cell area, except when all prisoners are secured in the cells and the hourly check is being made.

Members entering the cell area alone should maintain a means of communication by:

- Verbal communication with another member;
- Portable radio; or
- Alarm or other means.

Department members shall announce themselves prior to entering the cell area containing a member(s) of the opposite sex. Staff shall not place themselves in a position where they can view the breasts, buttocks, or genitalia of a detainee of the opposite gender.

Detainees will be allowed to perform bodily functions without members or employees of the opposite gender viewing their breasts, buttocks or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks.

Entering an Individual Cell

Members shall only open or enter an occupied cell when:

- At least one (1) other member is present;
- When releasing a prisoner from custody; or
- In the event of an emergency.

Conduct

Members should not engage in speech or behavior that could be construed as inappropriate.

Visitors

Requests for visits that do not interfere with station operations may be allowed by the station OIC. A member shall remain physically present during the visit and all visitors shall:

- Show positive identification;
- Be checked for outstanding warrants;
- Submit to a search for weapons or contraband, which shall include an inspection of their belongings before and after the visit;
- Have their name, address, and relationship documented in the DAJ;
- Only be allowed to visit the prisoner one at a time;
- Not have any physical contact with prisoners; and
- Not violate the privacy of other prisoners.

Visitation with counsel may be permitted at the discretion of the station OIC and reasonable efforts should be made to ensure privacy during these visits.

Subject	Number
Prisoner Monitoring	PRI-06

Mail/Packages Prisoners may only receive funds, food, prescription medications, or clean clothing. All items shall be:

- Inspected for contraband and placed with the prisoner's property, or given to the prisoner as appropriate;
- Documented on a SP 2 Prisoner Inventory Form; and
- Noted in the DAJ.

Shift Change The on-duty desk officer shall inform the incoming desk officer about the count and condition of the prisoners. Incoming desk officers shall physically verify the count and condition of prisoners prior to assuming desk duty.

Suicide Threats or Attempts Information received from any source pertaining to a prisoner's risk of harming themselves shall be considered valid.

If the prisoner...	Then...
<ul style="list-style-type: none"> • Makes a suicide threat or attempt; • Has an entry in the Q5 Query; • Indicates current suicidal tendencies on the Suicide Prevention Checklist; or • Clearly exhibits signs or symptoms of suicidal behavior. 	<ul style="list-style-type: none"> • A member shall be assigned to physically watch the prisoner at all times; or • The prisoner shall be transported to a medical facility for evaluation.

If a person in custody attempts or threatens suicide at a lockup facility, as outlined in Massachusetts General Laws (MGL) c.40, s.36A, the following additional responsibilities apply:

Position	Duties
Desk Officer	<ul style="list-style-type: none"> • Provide medical attention as necessary; • Notify the Troop Duty Officer and Station Commander; • Consult the guidebook; • Document the incident in the DAJ; and • Enter the incident into the Q5 suicide menu of the CJIS computer prior to the end of the shift.
Station OIC	<ul style="list-style-type: none"> • Notify, in writing, any lockup facility that the prisoner is transferred to.
Troop Duty Officer	<ul style="list-style-type: none"> • If needed, send a supervisor to the station to assist; • If appropriate, assign a member to guard the prisoner at the facility; • Make the appropriate DAJ entries; and • Ensure that proper procedures and MGL c.40, s.36A are followed.

Subject	Number
Prisoner Monitoring	PRI-06

**Escape or
Wrongful
Release**

If a prisoner escapes or is inadvertently released, the following actions shall be taken:

Position	Duties
Desk Officer	<ul style="list-style-type: none"> • Immediately notify the Troop Duty Office and Station Commander; • Notify area patrols and local departments of the escape; and • Make the appropriate DAJ entries.
Troop Duty Officer	<ul style="list-style-type: none"> • Dispatch a supervisor to the scene; • Notify the Troop Commander; • Notify GHQ Communications; • Notify the appropriate State Police Detective Unit (SPDU) of jurisdiction; and • Make the appropriate DAJ entries.
GHQ Communications	<ul style="list-style-type: none"> • Notify the Division Commander.
Troop Commander	<ul style="list-style-type: none"> • Ensure the Division Commander was notified; and • Review reports and take actions to prevent reoccurrences.
Division Commander	<ul style="list-style-type: none"> • Review reports and take actions to prevent reoccurrences.

Medical Care

Sick or injured prisoners should not be transported by the Department, unless two (2) or more members are available for the transport. It may be more prudent to await the arrival of an ambulance.

- Upon arrival of an ambulance, members shall defer medical care to the EMTs but shall retain custody and security; and
- The Troop Duty Officer shall be informed of any such incidents.

When a member observes or is informed by a prisoner that they have a medical problem that requires immediate medical treatment, the station OIC or supervisor should request an ambulance. If unsure as to whether or not a prisoner requires immediate medical treatment, members shall request assistance from trained medical personnel.

If it is an emergency or appears serious, members shall provide basic First Aid.

In the event of a sexual assault upon a detainee while in State Police custody by another detainee, staff member, employee or contractor, the responding member shall adhere to the requirements of PRI-07 *Detainee Sexual Abuse and Sexual Harassment*.

The procedures for requesting emergency health care shall be posted in a conspicuous place in English and any other language(s) prevalent within the station area.

Subject	Number
Prisoner Monitoring	PRI-06

**Prisoner Death
Protocols**

If a prisoner dies while in a Department facility, the following actions shall be taken:

Position	Duties
Desk Officer	<ul style="list-style-type: none"> • Immediately notify the Troop Duty Officer and the Station Commander.
Troop Duty Officer	<ul style="list-style-type: none"> • Immediately notify the Troop Commander; • Immediately notify the SPDU of jurisdiction; • Notify the Medical Examiner's Office, as requested by SPDU; • Ensure that the appropriate DAJ entries are made; and • Ensure that proper procedures and MGL c.40, s.36A are followed.
State Police Detective Unit	<ul style="list-style-type: none"> • Respond to the scene and take command of the investigation.
Station Commander	<ul style="list-style-type: none"> • Submit, within four (4) days, a report of the incident to the Troop Commander, along with all other related reports.
Troop Commander	<ul style="list-style-type: none"> • Immediately notify the Division Commander; • Assign a Commissioned Officer to immediately assist the SPDU investigation and to conduct an Administrative Review of the incident; • Forward copies of the reports to the Medical Examiner within seven (7) days; and • Review and submit reports and recommendations to the Division Commander.
Reviewing Commissioned Officer	<ul style="list-style-type: none"> • Assist the SPDU; • Conduct an Administrative Review of the incident; and • Prepare a report for the Troop Commander within four (4) days. <p><u>Note:</u> The Administrative Review is to ensure that members followed Department procedures during the incident.</p>
Field Services Division Commander	<ul style="list-style-type: none"> • Review reports and take actions to prevent reoccurrences; • Submit reports to the Deputy Superintendent for review and action; and • Maintain a file on prisoner deaths.

Subject	Prisoner Monitoring	Number	PRI-06
---------	---------------------	--------	--------

References

ADM-14 Personnel Investigation
UOF-06 Electronic Control Weapons
SP 2 Prisoner Inventory Form
MGL c.111, s.8 Use Common Drinking Cup
MGL c.40, s.36A Report of Death/Suicide Records
SPAM Collective Bargaining Agreement Article 27
Criminal Justice Information System (CJIS)
PRI-07 Detainee Sexual Abuse and Sexual Harassment
PRI-07A Detainee Sexual Abuse and Sexual Harassment Investigations,
Review and Data Collection

Promulgated By:





Department of State Police

General Order

Effective Date	June 17, 2013	Number	SOC-07B
Subject	Domestic Abuse Involving Members		

Policy

The Department shall ensure that all reports of alleged domestic abuse by members are thoroughly investigated.

The Department shall respond and investigate allegations of domestic abuse while ensuring the rights and safety of all those involved.

Involved Member

Any member, upon being notified that they are a defendant in any protective order or modification thereof, or upon becoming aware that they have been accused of abuse, shall:

- Immediately notify their duty assignment supervisor (pursuant to Rules and Regulations), naming the investigating department, if any;
- Surrender Department issued License To Carry (LTC) Firearms and/or weapons and any other state or federal firearms licenses to the responding supervisor; and
- Within twenty-four (24) hours, make written notification, through channels, to their Division Commander. A copy of the protective order or modification shall also be attached to the documentation.

Responding Member

All members responding to incidents of alleged domestic abuse involving members of the Department shall:

- Take immediate action to ensure the safety of the victim;
- Call a supervisor of higher rank than the involved member to the scene;
- Remain on the scene until relieved by the responding supervisor;
- Ensure that all provisions of Massachusetts General Laws (MGL) 209A are followed, including arrest, when necessary; and
- Submit a detailed report of observations and statements made, prior to the end of their shift.

Subject	Number
Domestic Abuse Involving Members	SOC-07B

**Responding
Supervisor**

Whenever a member is alleged to have committed abuse, a supervisor of higher rank than the accused member shall be assigned to conduct a criminal investigation. When a protective order is issued, or when the supervisor has reason to believe that the member committed abuse, the supervisor shall immediately:

- Relieve the accused member from duty;
- Seize all Department issued use of force weapons, pursuant to Departmental Rules and Regulations;
- Seize all other firearms and/or weapons at the scene;
- Seize member's LTC, and any other state or federal firearms licenses;
- Notify the member's Troop/Section Commander;
- Seize Department issued vehicle and conduct a vehicle inventory;
- Identify outstanding protective orders against the accused member;
- Ensure that all provisions of MGL 209A are followed, including arrest and further investigation, when appropriate;
- Forward LTC and any other state or federal firearms licenses to the Administrative Investigator;
- Complete an incident report prior to the end of their shift and forward to the Troop/Section Commander; and
- Ensure the complaint has been documented in a To/From format and fax to the Division of Standards and Training (DST) prior to the end of their shift.

**Division
Commander's
Responsibilities**

When an abuse prevention order is issued, or when there is reason to believe that the member committed abuse, the Division Commander shall:

- Assign a Commissioned/Staff Officer to conduct an administrative investigation;
- Immediately ensure that the accused member is or has been relieved from duty pursuant to Departmental Rules and Regulations;
- Convene a Duty Status Hearing, pursuant to Department Rules and Regulations; and
- Review reports and initiate additional investigations as necessary.

Subject	Number
Domestic Abuse Involving Members	SOC-07B

Administrative Investigation

In all incidents where a member has been accused of abuse, a thorough administrative investigation shall be conducted by a Commissioned/Staff Officer, preferably of higher rank than that of the accused member. The investigation shall include, but not be limited to the following:

- Identify all outstanding and expired protective orders against the accused member;
- Collect and review all reports, affidavits, and records pertaining to the allegations of abuse; and
- Interview the victim and other witnesses.

Other duties of the Administrative Investigator include:

- Working with the criminal investigator (if any) to ensure that the provisions of MGL 209A are adhered to, including criminal action or arrest when appropriate;
- Ensuring appropriate referral information has been given to the victim regarding battered women's programs, emergency shelter, counseling services, and court based advocacy services;
- Forwarding all available documents to the Duty Status Board;
- Attending all court proceedings and maintaining contact with any assigned prosecutor or probation officer; and
- Forwarding copies of all reports to the Internal Affairs Section upon completion of the investigation.

Division of Standards and Training

In domestic abuse cases involving Staff Officers, the DST Commander shall notify the Colonel/ Superintendent.

Subject	Number
Domestic Abuse Involving Members	SOC-07B

**Complaint
Notification to
DST**

In addition to any other required reports, all complaints of domestic abuse involving members shall be documented and submitted to the Division of Standards and Training (DST).

Member	Action
Member Receiving Complaint	Internal Complaints Internal personnel complaints originating <u>within</u> the Department, shall: <ul style="list-style-type: none"> • Be documented in a To/From format; • Faxed to the Division of Standards and Training within twenty-four (24) hours from the date of the To/From; • Submit a copy through channels to the appropriate Troop/Section/Unit Commander; and • Forward the original copy to the Division of Standards and Training.
Administrative Investigation	The Commissioned/Staff Officer conducting the administrative investigation shall: <ul style="list-style-type: none"> • Document the complaint in a To/From; • Fax to DST at 508-820-2149 within 24 hours of receipt; • Forward a copy through channels to the appropriate Troop/Section/Unit Commander; and • Forward the original to DST.

References

ADM-14 Personnel Investigation
 SOC-07 Domestic Abuse
 SOC-07A Domestic Abuse Arrest/Investigations
 SOC-07C Abuse of Children/Disabled/Elderly
 Rules and Regulations
 SPAM Collective Bargaining Agreement Article 27

Promulgated By:



Department of State Police

General Order

Effective Date	April 23, 2009	Number	TRF-17
Subject	Emergency Roadblocks		

Policy

At times, situations arise which may necessitate the utilization of an emergency roadblock. Many factors have to be considered prior to implementation of a roadblock, to ensure officer and public safety.

Only Commissioned Officers may approve and authorize the implementation of an emergency roadblock.

Definitions

Roadblock: A deliberate obstruction by physical means at one or more selected points on a roadway.

Activation and Implementation

Many factors need to be considered before the implementation of a roadblock. The decision to use a roadblock shall be based upon:

- The seriousness of the known/alleged crime;
- The number of members available to be assigned;
- The sufficiency of information and descriptions of wanted persons and vehicles;
- The elapsed time between the known/alleged criminal act and the time of reporting to the Department or other law enforcement agencies; and
- Any other pertinent facts.

Upon implementation of an emergency roadblock:

- A Patrol Supervisor shall be dispatched and shall assume command at the scene of the roadblock;
- If available, the Air Wing should provide aerial assistance.

Fixed Roadblocks

Fixed roadblock barricades may consist of any strong structure augmented by any combination of signs, signals, markers, reflectors, or flares, and may include the strategic positioning of cruisers on the roadway.

- No member shall remain in a cruiser utilized as a fixed roadblock; and
- Firearms may be made ready for use.

Subject	Emergency Roadblocks	Number	TRF-17
---------	----------------------	--------	--------

Circle System

The Circle System is designed to completely contain the suspect in a given area by blocking every possible avenue of escape.

Typically two (2) circles are established; an inner circle and an outer circle. The radius of the circles is determined by the estimated time that has elapsed from the commission of the crime. The locations of blocking points are then determined by using the crime scene as a center and drawing circles around it.

- The inner circle is the area immediately surrounding the crime scene; and
- The outer circle is set up to apprehend the fugitive if they get through the inner circle.

Incident Commanders/Supervisors shall assign members to:

- Patrol the area between the two circles;
- Staff blocking points established at major intersections and highways;
- Stop all traffic and interview each operator; and
- Use cover-contact techniques as appropriate.

Observation Techniques

It may be more desirable to slow traffic, as this enables members to check vehicles and occupants without bringing traffic to a complete stop.

Department vehicles should be parked at forty-five (45) degree angle with the traffic flow. In this position members can observe traffic and maintain mobility.

Blocking Two-Lane Roads

To stop traffic traveling in only one direction, Department vehicles should be:

- Parked at a forty-five (45) degree angle with the traffic flow;
- Partially on the roadway; and
- Blocking the lane to be stopped.

Light traffic can be stopped in both directions with this system. However, in heavy traffic it may be necessary to set up this blocking method on both sides of the road. This second roadblock should be close enough, approximately seventy-five (75) yards away, and in sight of the first roadblock.

If signs and other warning devices are used, consideration should be given to the sight and stopping distances and the need for the element of surprise.

Blocking Roads at Night

At night, the member assigned as the contact officer shall:

- Stay off the roadway and out of oncoming headlights;
- Wear safety vest or high visibility clothing;
- Ensure roadblock lighting does not blind oncoming motorists; and
- Use cover-contact techniques as appropriate.

Subject	Emergency Roadblocks	Number	TRF-17
---------	----------------------	--------	--------

Blocking Multi-Lane Roadways

The blockade procedure for one side of a multi-lane highway is basically the same as for a one or two lane roadway.

A major difference is in the placement of signs and other warning devices.

- Because of greater speeds, the signs should be placed further away from the cruisers to allow motorists time to stop safely;
 - If used, at least two (2) signs should be placed on both sides of the roadway facing towards oncoming traffic; and
 - Flares and other warning devices should be arranged to funnel traffic into one or more lanes.
-

Promulgated By:



Department of State Police

General Order

Effective Date	Number
April 23, 2009	TRN-02
Subject	
Recruit Training	

Policy	Prior to assuming duties as a sworn State Police Trooper, recruits shall be assigned to, and satisfactorily complete a recruit training class. This class shall be held at the State Police Academy and fulfill the requirements as prescribed by Massachusetts General Laws and the Colonel/Superintendent.
Recruit Handbook	<p>The Academy Commandant shall, prior to the commencement of a recruit training class, prepare and distribute to each recruit a handbook containing the following information:</p> <ul style="list-style-type: none">• Recruit performance expectation;• The rules and regulations governing the conduct of recruits while assigned to the Academy; and• The method for determining the final overall average score of each recruit which shall be used to establish the class standing of each trainee.
Recruit Class Curriculum	<p>The Academy Commandant shall develop a recruit class curriculum including, but not limited to:</p> <ul style="list-style-type: none">• Constitutional principles, criminal law and procedure, motor vehicle law;• Department operations, Rules and Regulations, Policies and Procedures;• Use of force, including firearms;• Emergency vehicle operations;• CPR/First Responder training;• Principles of leadership;• Report writing, court testimony and communications skills;• Cultural diversity and ethics; and• Physical fitness and wellness.
Authorized Use of Recruits	The Colonel/Superintendent may authorize the use of recruits assigned to the State Police Academy to tasks not requiring law enforcement powers.
References	MGL c.22C

Promulgated By:



Department of State Police

General Order

Effective Date	May 5, 2016	Number	UOF-01
Subject	Use of Force		

Policy

Members shall use, or are authorized to use, only that force which is *objectively reasonable* to:

- Effect an arrest;
- Restrain or subdue an individual resisting a lawful seizure; or
- Protect themselves or others from physical harm.

Members should assess each situation to determine which action shall best bring the incident under control, using only that amount of force that is reasonably necessary.

Definitions

Objectively Reasonable: This term means that, in determining the necessity for and appropriate level of force, officers shall evaluate each situation in light of the known circumstances, including, but not limited to, the seriousness of the crime, the level of threat or resistance presented by the subject, and the danger to the officer, subject, or community. The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on scene, rather than with the 20/20 vision of hindsight. Determining reasonableness of force must allow for the fact that police officers are forced to make split second judgments in circumstances that are tense, uncertain and rapidly evolving. The force used must be reasonable under the circumstances known to the officer at the time force is used.

Less Lethal Force: Use of force that is not intended to cause serious bodily harm/serious physical injuries or death.

- Members are authorized to use less lethal force in accordance with the law and the contents of this policy.

Lethal Force: Use of force intended to inflict serious bodily harm/serious physical injuries or death.

- Members are authorized to use lethal force in accordance with the law and the contents of this policy.

Sensitive Population Groups: Sensitive population groups include those who reasonably appear to be, or are known to be, children, elderly, medically infirm, pregnant, or users of a cardiac pacemaker.

Compliant Individual: An individual who is fully cooperative with a Department member.

Subject	Use of Force	Number	UOF-01
---------	--------------	--------	--------

**Definitions
(continued)**

Passively Resistant Individual: An individual who is uncooperative but does not use physical strength or body movement to resist a Department member.

Actively Resistant Individual: An individual who uses physical strength and/or body movement to resist a Department member. Examples of active resistance include pulling, turning, or walking away from an officer.

Assaultive Individual (Bodily Harm): An individual who attempts to injure a Department member or another person or engages in conduct that has the potential to injure a Department member or another person.

Aggravated Assaultive Individual (Serious Bodily Harm/Death): An individual who engages in conduct that is likely to produce death or serious bodily harm to a member of the Department or another person.

**Use of
Force
Responses**

*(Note: Use of
Force responses
need not be
exercised in
progression.)*

If the subject is...	Then the response may include...
Compliant	<ul style="list-style-type: none"> • Verbal commands
Passively Resistant	<ul style="list-style-type: none"> • Verbal commands; and/or • Contact control techniques.
Actively Resistant	<ul style="list-style-type: none"> • Verbal commands; • Contact control techniques; • Compliance techniques; • Oleoresin Capsicum (OC) Spray, according to training; • Laser activation of Electronic Control Weapon (ECW) according to training; • Spark display of Electronic Control Weapon (ECW) according to training; and • Drive Stun deployment of Electronic Control Weapon (ECW) according to training.
Assaultive-Bodily Harm	<ul style="list-style-type: none"> • All of the above responses; • Striking techniques; • Probe deployment of Electronic Control Weapon (ECW) according to training; and • Any other Department approved less lethal force equipment.
Aggravated Assaultive - Serious Bodily Harm /Death	<ul style="list-style-type: none"> • All of the above responses; and • Lethal force.

Subject	Number
Use of Force	UOF-01

**Use of
Force
Responses
(Continued)**

Determining the level of force necessary may depend on resistance levels and circumstances. Factors in this decision include, but are not limited to:

- Subject vs. member - relative to age, size, physical condition, skill level;
- Subject's drug and alcohol use;
- Weapons - type, proximity;
- Seriousness of offense;
- Exigent circumstances; and
- Number of potential assailants vs. number of police on the scene.

Use of Force

Verbal Commands - Commands and gestures designed to:

- Effect compliance; and
- Express the member's intent.

Contact Control Techniques: Touch techniques (carrying and guiding) not designed to produce pain compliance.

Compliance Techniques:

Techniques authorized by the Department that may be used to achieve compliance and/or control of an actively resistant or assaultive subject.

In exigent circumstances, other compliance techniques may be used.

OC Spray - OC spray may be used in situations involving:

- Assaultive subjects; or
- Actively Resistant subjects when:
 1. Verbal commands have failed to bring about compliance; and
 2. Subject has signaled their intentions to actively resist.

OC spray shall not be used on passive resisters who offer **NO** physical resistance.

Striking Techniques - Striking techniques may be used on an assaultive subject to achieve compliance and/or control.

Striking techniques may include the use of issued equipment (e.g., baton, flashlight, PR-24NX), as well as hands, feet, elbows, or knees.

In exigent circumstances, other instrumentalities may be used.

Electronic Control Weapons (ECW) - Department Members are authorized to use ECW in accordance with Department training and UOF-06 *Electronic Control Weapons*.

Subject	Use of Force	Number	UOF-01
---------	--------------	--------	--------

**Lethal Force
Authorization**

Members are authorized to use lethal force in order to protect themselves or others from an immediate threat of death or serious bodily harm.

Warnings- If feasible, some warning shall be given before any use of force.

<p>Use of Lethal Force: Preventing Escape</p>	<p>Members are authorized to use lethal force to prevent the escape of a suspect when the officer has probable cause to believe that:</p> <ul style="list-style-type: none"> • The arrest is for a felony; and • The member believes that the force employed creates no substantial risk of injury to innocent persons; and either: <ol style="list-style-type: none"> 1. The crime for which the arrest is made involved conduct including the use or threatened use of deadly force; or 2. There is a substantial risk that the person to be arrested will cause death or serious bodily harm/serious physical injuries if the suspect's apprehension is delayed. and • If feasible, some warning has been given.
<p>A member <u>may</u> discharge a firearm for:</p> <p>A member <u>SHALL NOT</u> discharge a firearm:</p>	<ul style="list-style-type: none"> • The lawful performance of duties; • On or off duty training at a range, specifically designed for that purpose and using only Department authorized ammunition; or • Rendering harmless an animal that represents a threat to public safety or is seriously injured and suffering. • As a warning; • To merely disable a fleeing vehicle; or • At a moving vehicle – <u>UNLESS:</u> An occupant uses or threatens to use immediate lethal force directed at the member or another person to cause them serious bodily harm/serious physical injury or death.
<p>Discharge of a Firearm At a Moving Motor Vehicle</p>	<p>Members shall:</p> <ul style="list-style-type: none"> • As a first course of action, <u>remove themselves</u> from the path of a moving vehicle or position of vulnerability; and • Understand and consider that: <ol style="list-style-type: none"> 1. Bullets fired at moving vehicles are extremely unlikely to stop or disable the motor vehicle; 2. Bullets fired may miss the intended target or ricochet and cause injury to themselves, other officers, or innocent persons; or 3. If the bullets disable the operator, the vehicle may crash and cause injury to themselves, other officers, or innocent persons.

Subject	Number
Use of Force	UOF-01
Ready Position	<p>When the member reasonably believes that there is a <u>potential</u> threat of serious bodily harm/serious physical injuries or death, the firearm may be placed at the ready position:</p> <ul style="list-style-type: none"> • Trigger finger is alongside of the frame except when ready to engage; and • In a safe direction, below the line of sight, so as not to impede member's vision.
Use of Force Equipment and Training	<p>The Colonel/Superintendent shall authorize the specific use of force equipment and training to be used by members.</p> <p>Members are responsible for keeping their equipment clean and operational at all times.</p> <p>All members shall have successfully completed training in the specific use of force equipment prior to use.</p>

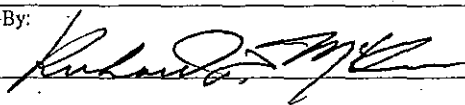
Investigations/Reporting **Reporting Use of Force** - The policy UOF-03 Reports, shall be adhered to upon any:

- On duty discharge of any weapon outside of a training range specifically designed for that purpose;
- Off duty discharge of a Department weapon outside of a training range specifically designed for that purpose;
- Compliance or striking techniques are used;
- OC Spray is used;
- Electronic Controlled Weapon (ECW) activation as defined in UOF-06 Electronic Control Weapons; or
- Use of force caused or is reported to have caused injury or death to another.

Medical Aid Members shall administer and secure medical aid after any use of force, if necessary.

References UOF-03 Use of Force Reports
UOF-06 Electronic Controlled Weapons (ECW)

Promulgated By:





Department of State Police

General Order

Effective Date	August 1, 2017	Number	UOF-02
Subject	Lethal Force - Response		

Policy

The Department shall immediately respond to the scene and conduct an investigation when a use of force results in:

- A death;
- Serious bodily injury; and/or
- Any reportable discharge of a firearm per UOF-03 Reports.

Discharge not requiring an investigation:

- Authorized testing in a properly controlled environment (e.g. Armorer, Ballistician); or
- A firearm is discharged at a range, specifically designed for training and using only Department authorized ammunition; or
- Rendering harmless an animal that is seriously injured and suffering.

Officer-Involved Use of Lethal Force Investigation

Fatal

When a Department member is involved in a use of lethal force resulting in a fatality, the District Attorney's Office or SPDU of jurisdiction shall direct the investigation.

Non-Fatal

When a Department member is involved in a use of lethal force **not** resulting in a fatality, the Division of Investigative Services (DIS) Major who oversees the area where the incident occurs shall assign a commissioned officer from DIS to conduct an investigation.

Force Investigation Response and Support Team (FIRST)

The Force Investigation Response and Support Team (FIRST) shall:

- Be comprised of Commissioned Officers designated by the Colonel/Superintendent;
- Be assigned to regional teams; and
- Assist the DIS Commander.

Subject	Number
Lethal Force - Response	UOF-02

FIRST Activation

Upon notification of an incident resulting in the use of lethal force, the Communications Section shall notify:

- The DIS Commander or designee; and
- The SPDU Commander of jurisdiction.

The DIS Commander or designee shall dispatch the FIRST.

FIRST Duties

The DIS Commander or designee shall determine the duties of the FIRST which may include:

- Verify that the following has occurred:
 1. The scene is safe and secure;
 2. A perimeter has been established;
 3. Threats have been eliminated; and
 4. Any suspect(s) have been secured.
- Verify that all proper notifications are made, through channels to the Colonel/Superintendent;
- Identify a controlled area for on-scene interviews and conduct interviews where appropriate;
- Verify that individuals are advised of their rights; and
- Coordinate with the assigned DIS investigator to notify next of kin of all law enforcement and/or civilian victims in accordance with ADM-12 Serious Injury/Death of a Member, if necessary.

Weapons Seizure/

The first responding supervisor shall:

- Immediately seize or take custody of involved weapons and magazines (if applicable);
- Transfer custody of the seized weapon to the Firearms Identification Section; and
- Assist the Firearms Identification Section and Crime Scene Services personnel in the processing of evidence.

Crime Scene Services

Crime Scene Services shall:

- Respond to the scene and coordinate all Crime Scene Services activities with the assigned DIS investigator;
- Gather all evidence at the scene in accordance with INV-10 Evidence Collection/Preservation; and
- Map, photograph, and videotape the scene, if necessary.

Firearms Identification Section

If a firearm is involved, a member of the Firearms Identification Section shall:

- Proceed to the scene and take custody of any involved firearms and begin a firearms related investigation; and
- Notify the Armorer when a Departmental firearm is removed from service.

If appropriate, a temporary firearm shall be issued by the Armorer, as specified in ADM-20 Weapons Management.

Subject	Number
Lethal Force - Response	UOF-02

Interviews	<p>Interviews with involved Department members shall be:</p> <ul style="list-style-type: none"> Conducted by a commissioned officer, as directed by the assigned DIS investigator. <p>Interviews with civilian witnesses may be:</p> <ul style="list-style-type: none"> Conducted by commissioned and/or non-commissioned officers as directed by the assigned DIS investigator.
Troop/Section Commanders	<p>The Troop/Section Commanders of jurisdiction shall:</p> <ul style="list-style-type: none"> Establish interagency cooperation in conjunction with the assigned DIS investigator.
Members Using Force	<p>A member involved in a use of force incident resulting in death or serious bodily injury shall:</p> <ul style="list-style-type: none"> Surrender use of force equipment <u>only</u> to a Department supervisor; Absent an injury, incapacitation, or other exigent circumstances: <ol style="list-style-type: none"> Submit a detailed written report not less than twenty-four (24) hours, nor more than forty-eight (48) hours after the incident; or Submit to an interview by a commissioned officer involved in the investigation, in lieu of a written report, subject to all rights under applicable laws and collective bargaining agreements; and Submit a SP 376 Use of Force Report to the assigned DIS Investigator, within twenty-four (24) hours of the incident. Submit to a follow-up interview, if necessary; and Be allowed to contact a union representative, if desired.
Temporary Relief from Duty	<p>A member:</p> <ul style="list-style-type: none"> Shall be placed on Administrative Leave with pay for up to five (5) work days, when involved in a shooting or when the member's actions result in a death; or May be placed on Administrative Leave with pay in other circumstances, as appropriate.
Medical Evaluations	<p>A member shall undergo a medical evaluation by the State Police Surgeon prior to returning to duty from any period of Administrative Leave following a shooting, or when a member's actions result in a death.</p>
Employee Assistance Unit	<p>Members are strongly encouraged to contact the Employee Assistance Unit (EAU) for additional support and assistance.</p> <p>Follow-up counseling and assistance shall be provided by the EAU as needed. The EAU shall also assist members in obtaining support resources outside the Department.</p>

Subject	Number
Lethal Force - Response	UOF-02

**Responsibilities
and Protocol**

Position	Responsibilities
All Members at Scene	<ul style="list-style-type: none"> • Administer and secure medical aid after any use of force, if necessary; • Protect and secure the scene; • Ensure that the Desk Officer has been notified; • Speak only to Department investigators, unless otherwise ordered by a member of the Command Staff; and • May consult an attorney.
Desk Officer	<ul style="list-style-type: none"> • Dispatch necessary assistance to the scene; • Notify Troop Duty Officer and Station Commander; • Make appropriate Daily Administrative Journal entries; and • Refer media inquiries to the Media Relations Section or the District Attorney's Office.
Troop Duty Officer	<ul style="list-style-type: none"> • Dispatch to the scene a supervisor who is at least one rank higher than the involved officer; • Notify Troop Commander; • Notify the appropriate DIS on-call representative; • Notify GHQ Communications Duty Officer; • Make appropriate Daily Administrative Journal entries; and • Refer media inquiries to the Media Relations Section or the District Attorney's Office.
Supervisors	<ul style="list-style-type: none"> • Determine condition of all members and civilians at the scene and ensure that EMS has been notified; • Ensure the involved weapon(s) have been seized and secured; • Ensure the area has been secured and limit entry to the scene; • Record and document all members present at the scene in the on-scene access control log; • Keep Troop Duty Officer informed; and • Refer media inquiries to the Media Relations Section or the District Attorney's Office.

Continued next page.

Subject	Lethal Force - Response	Number	UOF-02
---------	--------------------------------	--------	---------------

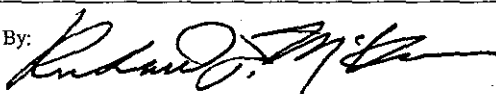
**Responsibilities
and Protocol
(Continued)**

Position	Responsibilities
GHQ Communications	<ul style="list-style-type: none"> • Notify Colonel/Superintendent; • Contact DIS Commander or designee; • Ensure the appropriate DIS on-call representative has been notified; • Notify the Media Relations Section; and • Notify the Employee Assistance Unit.
Lead DIS Investigator	<ul style="list-style-type: none"> • Assume control of the scene; • Coordinate actions with the Troop Commander and/or DIS Commander or designee; • Before interviewing or requesting written statements, advise the involved member(s) of their rights, if the member is suspected of violating the law; and • Review and submit a SP 376.
Troop Commander of Jurisdiction	<ul style="list-style-type: none"> • Notify the Division Commander of involved member(s); • Proceed directly to scene in incidents of death or serious bodily injury; and • Assist the media pending arrival of the Media Relations Section.
Division Commander of Member(s) Involved	<ul style="list-style-type: none"> • Appoint a commissioned officer to conduct an Administrative Review of the final report issued by the assigned DIS supervisor responsible for the investigation. • <u>Note:</u> The Administrative Review is to ensure that members followed Department procedures during the incident.
Colonel/ Superintendent	<ul style="list-style-type: none"> • Notify the Executive Office of Public Safety and Security (EOPSS).

References

ADM-12 Serious Injury/Death of a Member
 ADM-20 Weapons Management
 INV-10 Evidence Collection/Preservation
 SUP-04 Employee Assistance Unit
 SP 376 Use of Force Report

Promulgated By:





Department of State Police

General Order

Effective Date	March 1, 2016	Number	UOF-03
Subject	Reports		

Policy All incidents involving the use of force shall be documented.

Definition *Reportable Incident: Any:*

- On duty discharge of any weapon outside of a training range specifically designed for that purpose;
- Off duty discharge of a Department weapon outside of a training range specifically designed for that purpose;
- Compliance or striking techniques are used;
- OC Spray is used;
- An Electronic Control Weapon (ECW) activation as defined in UOF-06 *Electronic Control Weapons*; or
- Use of force caused or is reported to have caused injury or death to another.

Use of Force Reporting Any reportable incident, as defined above, shall be reported to the Station Desk Officer of jurisdiction and documented within the Daily Administrative Journal.

The involved member(s) shall:

- Submit a SP 376 *Use of Force Report* along with the SP12 or To/From within twenty-four (24) hours of the incident, absent an injury, incapacitation, or other circumstances with approval from Division Commander.
- Ensure that Station/Unit Commander is provided access to ECW for downloading purposes.

Review Supervisors shall:

- Ensure members submit a SP 376 along with the SP12 or To/From;
- Review every SP 376 and SP12 or To/From ; and
- Forward all reports to the Division Commander, through channels with findings and recommendations as to the necessity of further investigation of the incident.

Subject	Number
Reporting	UOF-03

**Review
(Continued)**

Station/Unit Commander or Designee Shall:

- Ensure that ECW data is downloaded per manufacturer instructions; and
- Ensure that data from ECW download is consistent with reports submitted by involved member(s).

The Troop Commander and/or Detective Captain of jurisdiction:

- Shall assign a commissioned officer to conduct an administrative review of the use of lethal force; or
- May assign a commissioned officer to conduct an administrative investigation of the use of less lethal force.

Division Commanders shall:

- Forward a copy of all reports, through channels, to the Division of Standards and Training; and
- Forward a copy of all reports to the Use of Force Review Committee.

Division of Standards and Training Commander may:

- Provide a copy of each report involving the discharge of a firearm to the Director of Firearms Training.

**Use of Force
Review
Committee**

The Deputy Superintendent shall appoint members of the Use of Force Review Committee. The Use of Force Review Committee shall evaluate each use of force incident and forward their findings and recommendations to the Deputy Superintendent.

**Use of Force
Review
Committee
Evaluation**

The Committee shall determine that the use of force was:

- Within Department guidelines; or
- Outside Department guidelines.

The Committee's evaluations and recommendations shall include:

- Tactics and training considerations;
- Supervision considerations;
- Department directives; and
- The need for further Department action.

Classifications of weapons discharge include:

- Intentional: deliberate discharge;
- Unintentional: when an officer does in fact depress the trigger and causes the firearm to discharge without consciously or deliberately willing to do so; or
- Accidental: restricted to the description of a mechanical flaw, shortcoming, or breakdown of a firearm that occurs from such causes as excessive wear, corrosion, mechanical design, or a part breakage, which would allow the weapon to discharge without the shooter depressing the trigger; and
- Other findings as necessary.

Subject

Reporting

Number

UOF-03

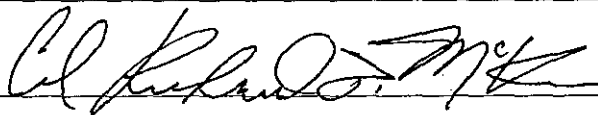
**Use of Force
Reports
Records**

The Committee shall maintain in the Deputy Superintendent's Office, a secure file of all Use of Force Reports, investigations, and reviews.

References

UOF-06 *Electronic Control Weapons*
SP 376 *Use of Force Report*

Promulgated By:





Department of State Police

General Order

Effective Date	August 1, 2017	Number	UOF-04
Subject	Use of Force-Equipment		

Policy Members on duty shall carry and use only Department issued use of force equipment.

Definition *Use of Force Equipment:* All equipment approved by the Colonel/ Superintendent and issued by the Department such as firearms, ammunition, Oleoresin Capsicum (OC) Spray, batons, Electronic Control Weapons (ECW), and/or any other equipment used to effect control and compliance of a subject.

**Purchase/
Issuance**

Title	Duties
Colonel/Superintendent	<ul style="list-style-type: none"> Shall approve all use of force equipment issued and utilized by the Department; and Shall authorize, in writing, the Division of Administrative Services (DAS) to purchase all use of force equipment issued and utilized by the Department.
Division of Administrative Services (DAS)	<ul style="list-style-type: none"> Is solely responsible and solely authorized to purchase any and all use of force equipment issued and utilized by the Department; and Shall purchase any and all use of force equipment issued and utilized by the Department pursuant to the written authorization of the Colonel/Superintendent or designee.
Armorer	<ul style="list-style-type: none"> Shall test and recommend use of force equipment, including ammunition, through channels to the Office of the Superintendent or designee; Issue and maintain use of force equipment; Document and retain all records related to use of force equipment; and Replace use of force equipment as needed.

Subject	Number
Use of Force-Equipment	UOF-04

Inspections All use of force equipment shall be inspected for condition and operational readiness, only by a supervisor trained to inspect such equipment.

Supervisors shall:

- Remove from service any equipment found to be defective; and
- Notify the Armorer when a Department firearm or ECW is removed from service.

Title	Jurisdiction	Occurrence
Commanders/ Supervisors	Direct/conduct an inspection of all use of force equipment of those under their supervision.	Quarterly
Firearms Training Unit	Conduct an inspection of all use of force equipment brought to range.	Pre- and post-training
Staff Inspections	Conduct an inspection of all use of force equipment.	As appropriate

Maintenance All use of force equipment shall be kept clean and operational at all times.

Issued firearms shall be cleaned promptly after training:

- In a safe location and manner; and
- Prior to leaving any range.

Only the Armorer and personnel authorized by the Armorer shall repair or modify any use of force equipment or parts.

ON DUTY
Carry/Security

While on duty:

- Uniformed members shall carry issued sidearms secured in an issued holster; and
- Non-uniformed members shall carry issued sidearms secured in an issued holster, or otherwise authorized holster, as approved by the Colonel/Superintendent.

When carrying issued firearms, members shall do so in a safe and secure manner:

- Sidearms shall be fully loaded with a round in the chamber and the weapon de-cocked, if equipped;
 - Desk Officers shall carry their sidearm in their holster on their person;
 - Firearms shall not be left unattended in any non-secure location such as a desk drawer or file cabinet; and
 - Firearms and ECWs **shall not** be carried on a member's person during the booking process, including (but not limited to) booking, fingerprinting, and the administration of the breath test.
-

Subject	Number
Use of Force-Equipment	UOF-04

**OFF DUTY
Carry/Security**

When carrying a Department issued firearm off duty, the following items shall be in the member's possession:

- The member's Department's Badge of Office;
- The member's Department's Identification Card; and
- The member's active License to Carry a Firearm.

When issued firearms are not being carried, they shall be secured with the issued firearm lock and/or in a gun safe, inaccessible to children and others.

Members are not required to carry any issued firearm while off duty.

ECW

A Department member is authorized to possess an ECW only when "acting in the discharge of his official duties" in accordance with M.G.L. c. 140, § 131J. Accordingly, when not on duty or not acting in an official capacity, a member must store an ECW either in a secure location within a Department facility (such as a barracks), or within a secure, locked compartment within a Department vehicle. A member shall not carry an ECW on his/her person except in the performance of official duties. **NOTE:** A Class A License to Carry does NOT authorize a civilian to possess an ECW.

**Firearms in
Vehicles**

Firearms shall not be left unattended in any vehicle, unless the vehicle is a Department issued vehicle for which the Department has authorized a gun safe or other device designed to secure the weapon and the firearm is secured in such a device. When a member stores a firearm in such a device within an unattended Department vehicle, the device shall be locked and secured, the vehicle's windows shall be closed, and the vehicle's doors shall be closed and locked.

Examples of properly secured weapons:

Patrol Rifle:

- The patrol rifle shall be secured in the Department installed gun rack in accordance with the patrol rifle standard operating procedures.

Shotgun:

- The shotgun shall be secured in the Department installed gun rack, in accordance with shotgun standard operating procedures; and
- If equipped, the key lock shall be engaged when the vehicle is unattended.

STOP Team:

- Firearms shall be secured in accordance with STOP Team standard operating procedures.

Continued next page.

Subject

Use of Force-Equipment

Number

UOF-04

Firearms in Vehicles (Continued)

Vehicle Safe Requests:

Members requesting to install a gun safe within Department vehicles shall:

- Submit a written request for approval to their Division Commander articulating the need for such a device;
- If approved, coordinate with the Fleet Administrator regarding the professional installation of the safe and regarding the location of installation within the vehicle; and
- Agree, in writing, to assume all responsibility for:
 - The loss or theft of the safe; and
 - Any damage caused to the vehicle associated with the installation or removal of the safe.

The Armorer shall:

- Determine and approve the make and model of all gun safes to be issued by the Department; and
- Advise the Fleet Administrator of the gun safes authorized for purchase.

Division Commanders shall forward all gun safe requests, whether approved or denied, to the Fleet Administrator.

Soft body Armor

Soft body armor shall be issued to members with the intent that it be worn as often as possible, while on duty.

Members who decline to wear the issued soft body armor shall submit a letter to the appropriate Division Commander stating their reasons.

Promulgated By:





Department of State Police

General Order

Effective Date	November 5, 2008	Number	UOF-05
Subject	Firearms Qualifications		

Policy

The Department shall provide training and instruction to every member in order to become proficient and confident in the use of issued weapons.

All members shall successfully complete appropriate training and shall qualify with weapons and techniques prior to use.

Definition

Specialized Firearms: Any firearm other than the main duty pistol(s).

Training

Safety is of paramount importance. Regardless of a member's rank, Use of Force Instructors shall be in command of all personnel and equipment during training.

Training shall, as closely as possible, reflect the conditions with which members are likely to be confronted. This training shall include comprehensive instruction in:

- Department's use of force directives and applicable standard operating procedures;
- Legal updates;
- Proficiency and safe weapons handling skills; and
- Safety, storage, and maintenance of use of force weapons and equipment.

Failure to Qualify with Firearms

Those members who fail to meet initial qualification and firearms handling standards shall receive immediate remedial assistance. Members may receive two (2) additional opportunities to qualify within the same day; unless the Supervisor of Firearms Training determines that it would be unsafe or impractical to do so.

In the event a member fails to achieve qualification standards after remedial assistance:

- The Division of Standards and Training Commander, or designee, shall immediately notify the Deputy Superintendent.

Remedial Training

Member(s) failing to initially qualify shall be assigned to the Range for the Remedial Training Program.

The Remedial Training Program shall consist of three phases designed to assist the remedial shooter in attaining firearms qualification standards. The content of the remedial program shall be determined by the Supervisor of Firearms Training.

- Phase 1 Remedial Training shall consist of one (1) training day.
- Phase 2 Remedial Training shall consist of two (2) training days.
- Phase 3 Remedial Training shall consist of two (2) training days.

If a member fails to achieve firearms qualification standards after Phase 1 Remedial Training, the member shall be assigned to the Phase 2 Remedial Training.

If a member fails to achieve firearms qualification standards after the Phase 2 Remedial Training, the member shall be:

- Evaluated by the State Police Surgeon to determine if any physical limitation(s) exist that would prevent them from achieving the firearms qualification standards; and
- Assigned to the Phase 3 Remedial Training at the State Police Academy for more in-depth assistance.

When participating in any phase of the Remedial Training Program, it is mandatory that a member successfully complete two (2) consecutive runs of the qualification course.

If proficiency is not established at the end of the Remedial Training Program:

- The member shall immediately surrender all firearms and cruiser keys to the Supervisor of Firearms Training;
- The Supervisor of Firearms Training shall immediately secure the firearm(s) and cruiser and advise the Division of Standards and Training (DST) Commander or designee; and
- The DST Commander or designee, shall place the member on administrative leave with pay, and shall proceed with an administrative hearing in accordance with Articles 5 and 6 of the Rules and Regulations.

The Three Phase Remedial Training Program shall constitute reasonable efforts by the Department in an attempt to achieve qualification by a member.

Failure to qualify with issued firearms shall result in administrative action, up to and including termination of employment.

Subject	Number
Firearms Qualifications	UOF-05

Specialized Firearms-Failure to Qualify

In the event that a member fails to achieve firearms qualification standards with Specialized Firearms after remedial training, the member shall:

- Be required to surrender such specialized firearms to the Supervisor of Firearms Training; and
- Be assigned to a one (1) day Specialized Firearms Remedial Training Program.

If proficiency is not established at the end of the Specialized Firearms Remedial Training Program, the member may:

- Receive additional remedial training at the discretion of the Colonel/Superintendent.

Qualification/Other Use of Force Weapons

The DST Commander or designee shall establish standards for qualification with other use of force weapons prior to issuance.

Responsibilities

Position	Duties
Supervisor of Firearms Training	<ul style="list-style-type: none"> • Conduct necessary training and testing; and • Maintain documentation on firearms training.
Division Commander of DST or designee	<ul style="list-style-type: none"> • Approve instructors; • Recommend training standards; • Maintain program records.
Division Commanders	<ul style="list-style-type: none"> • Ensure all members are trained as required.
Deputy Superintendent	<ul style="list-style-type: none"> • Authorize all use of force training prior to implementation.
Colonel/Superintendent	<ul style="list-style-type: none"> • Establish qualification standards.

Extended Leaves of Absence

Members returning from a leave in excess of ninety (90) days shall comply with any and all training requirements in accordance with ADM-11D Extended Leaves of Absence.

References

Articles 5 and 6 of the Rules and Regulations
ADM-11D Extended Leaves of Absence

Promulgated By: